

REMARKS

This paper is filed in response to the Office action mailed on August 4, 2009. Claims 1, 3-9, 15, and 17-22 are presented herewith. Applicant appreciates the Examiner's indication that previously presented claims 2, 3, 5, 6, 8, 16, 19, and 20 would be allowable if rewritten in independent form and to address any formal objections or rejections. In view of the amendments and remarks presented herein, reconsideration and allowance of all pending claims are respectfully requested.

Each of the independent claims now presented in the application has been amended to include subject matter that the Examiner has indicated as being allowable. More specifically, independent claims 1 and 15 now include the subject matter of previously presented claims 2 and 16, respectively. Accordingly, claims 1 and 15, as well as claims 3-9 and 17-22 depending directly or indirectly therefrom, are now allowable.

Turning to the Office action, Applicant appreciates the Examiner's comments regarding the IDS information submitted in the application. A Supplemental IDS is filed herewith submitting prior art from the foreign counterparts to the present application that has not previously been made of record. Consideration of this art is respectfully requested.

The Office action also rejected claims 3, 5, and 7 as indefinite under 35 U.S.C. 112, second paragraph. These claims are amended to address the issues identified by the Examiner, and therefore this ground of rejection should be withdrawn. Additionally, Applicant has reviewed and amended (as needed) each of the currently pending claims to remove any additional formal or syntax errors.

Additionally, the Office action rejected claims 1-9 and 15-22 for nonstatutory obviousness-type double patenting in view of U.S. Patent No. 6,298,677 in view of U.S. Patent No. 3,384,155 ("Newton"). A terminal disclaimer is submitted herewith to obviate the double patenting rejection. A Statement under 3.73(b) supporting the assignee's right to file the terminal disclaimer is also filed herewith. Accordingly, reconsideration and withdrawal of this ground of rejection are respectfully requested.

Claims 1, 4, 7, 9, 15, 17, 18, 21, and 22 were also rejected under 35 U.S.C. 103(a) as obvious over Newton in view of U.S. Patent No. 5,303,767 (“Riley”) and/or U.S. Patent No. 4,890,666 (“Clark”). In view of the amendments to the claims noted above, this rejection is now moot and should be withdrawn.

Finally, applicant notes that the cover page of the Office action continues to indicate the incorrect filing date for the application. Specifically, the cover page asserts that the filing date of the application is November 17, 2005. Attached hereto, however, is a copy of the filing receipt that issued in connection with the present application, which indicates that the correct filing date is December 27, 1999. Applicant respectfully requests the Examiner to update the USPTO records to reflect the correct filing date.

CONCLUSION

It is submitted that the present application is in good and proper form for allowance. A favorable action on the part of the Examiner is respectfully solicited.

If, in the opinion of the Examiner, a telephone conference would expedite prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

The Patent Office is hereby authorized to credit any overpayment or charge any deficiency in the fees filed, asserted to be filed, or which should have been filed herewith to our Deposit Account No. 50-3629.

Respectfully submitted,
MILLER, MATTHIAS & HULL

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By: /brent e matthias/
Brent E. Matthias, Reg. No. 41,974
One North Franklin, Suite 2350
Chicago, Illinois 60606
(312) 977-9902